

FEB - 3 2005

MARY L.M. MORAN
CLERK OF COURT

CASE NO. CR-05-00005

DATE: 2/3/2005

TIME: 10:30 a.m.

HON. JOAQUIN V. E. MANIBUSAN JR., Magistrate Judge

Law Clerk: Kim Walmsley

Court Reporter: Wanda Miles

Courtroom Deputy: Virginia T. Kilgore

Hearing Electronically Recorded: 10:30:13-10:31:58 / 10:43:15-10:53:30

CSO: J. Lizama

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***** APPEARANCES *****

DEFT: YU MAN YEN aka KEE SANG JOFFRE
CHEN aka TAI FAT LEEATTY: JOHN GORMAN

(X) PRESENT (X) CUSTODY () BOND () P.R.

(X) PRESENT () RETAINED (X) FPD () CJA APPOINTED

DEFT: THIN LOO YAT aka LEE THIN FOOKATTY: JOAQUIN C. ARRIOLA, JR.

(X) PRESENT (X) CUSTODY () BOND () P.R.

(X) PRESENT () RETAINED () FPD (X) CJA APPOINTED

DEFT: JAE HEE KIM aka YONG KIMATTY: CURTIS VAN DE VELD

(X) PRESENT (X) CUSTODY () BOND () P.R.

(X) PRESENT () RETAINED () FPD (X) CJA APPOINTED

INTERPRETER: HEE-JUNG WONGLANGUAGE: KOREAN (X) PREVIOUSLY SWORN

U.S. ATTORNEY: MARIVIC DAVID

AGENT:

U.S. PROBATION: JUDY OCAMPO

U.S. MARSHAL: V. ROMAN / S. LUJAN

PROCEEDINGS: ARRAIGNMENT

 COMPLAINT READ TO DEFENDANT FINANCIAL AFFIDAVITS REVIEWED AND ACCEPTED:(X) DEFENDANTS SWORN AND EXAMINED AS FOLLOWS: THIN LOO YAT HIGH SCHOOL COMPLETED: Secondary School
JAE HEE KIM HIGH SCHOOL COMPLETED: High School

(X) DEFENDANT THIN LOO YAT ARRAIGNED AND ADVISED OF HIS RIGHTS, CHARGES AND PENALTIES

 REMOVAL/IDENTITY HEARING () CONDUCTED () WAIVED () SET FOR: _____ at _____ WARRANT OF REMOVAL ISSUED GOVT SUMMARIZES THE EVIDENCE () GOVT SUBMITS TO THE PLEA AGREEMENT

(X) COURT QUESTIONS DEFENDANTS REGARDING THEIR PHYSICAL AND MENTAL CONDITION, AND ADVISES DEFENDANTS OF THE NATURE AND POSSIBLE CONSEQUENCES OF SAID PLEA

(X) DEFENDANTS WAIVE READING OF () COMPLAINT () INFORMATION (X) INDICTMENT

(X) THIN LOO YAT ENTERED HIS PLEA: () GUILTY (X) NOT GUILTY - TO: THE CHARGES CONTAINED IN THE INDICTMENT COUNT(S) _____ DISMISSED ON GOVERNMENT'S MOTION PLEA AGREEMENT FILED: _____ PLEA: () ACCEPTED () REJECTED COURT ORDERS PLEA AGREEMENT SEALED COURT REJECTS PLEA AGREEMENT AND REFERS IT TO: _____ FOR RECOMMENDATION. SENTENCING DATE: _____ at _____ () STATUS HEARING: _____ at _____ PRESENTENCE REPORT ORDERED AND DUE: _____ PRELIMINARY EXAMINATION SET FOR: _____ ARRAIGNMENT SET FOR: _____ at _____(X) TRIAL SET FOR: APRIL 4, 2005 at 9:30 A.M. ✓

PROCEEDINGS CONTINUED TO: _____ at _____

 DEFENDANT TO BE RELEASED ON BOND (see release conditions on page 2) DEFENDANT REMANDED TO THE CUSTODY OF THE U.S. MARSHAL SERVICE FOR () PROCESSING () DETENTION DETENTION HEARING REQUESTED BY GOVT DEFT IS SET FOR: _____ at _____ DEFENDANT RELEASED ON BAIL AS PREVIOUSLY ORDERED BY THIS COURT

(X) DEFENDANTS TO REMAIN IN THE CUSTODY OF THE U.S. MARSHAL

NOTES:

Defense stated that the interpreter for his client was not present. The Court continued Mr. Yen's arraignment hearing to 2:00 p.m. today. Mr. Van De Veld requested the Court to continue his client's arraignment hearing so that he may meet with his client to further discuss the charges in the indictment. No objection. The Court granted the continuance and set the arraignment hearing for February 8, 2005 at 1:30 p.m. for defendant Jae Hee Kim.